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UNITED STATES INTELLIGENCE BOARD
SECURITY COMMITTEE

7 September 1973

MEMORANDUM FOR: Members of the USIB Declassification Guide
Working Group

SUBJECT : USIB Declassification Guide

1. The Working Group Chairman, Mr. [] has scheduled a meeting of the Working Group for Tuesday, 18 September 1973, at 10:00 a.m. in Room 4E64 of the CIA Headquarters Building.

2. A copy of a Fifth Draft of the Guidelines is forwarded for the information of the Members. This item will be discussed at the 18 September 1973 meeting. It is noteworthy that Mr. Edwin "Al" Thompson, Director of Records Declassification Division, National Archives and Records Service, as well as Mr. [] of the CIA Office of General Counsel will attend the meeting to render the Working Group their views on the Declassification Guide.

[]

Secretary
Security Committee

Attachment

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FIFTH DRAFT

29 August 1973

ARCHIVIST GUIDELINES FOR SUBMITTING INTELLIGENCE
INFORMATION TO THE ORIGINATING AGENCY FOR REVIEW
BEFORE DECLASSIFICATION

Documents and reports will not be declassified without prior review by the originating agency if they contain or reveal information on:

1. Identifiable individuals and/or organizations as sources of intelligence information.
2. Methods and/or techniques of collecting intelligence information.
3. Identification of United States or foreign intelligence agents.
4. Assignment of United States intelligence personnel to overseas areas.
5. Allocation and disbursement of funds for intelligence activities.
6. Organizational structure of intelligence elements operating abroad.
7. Operational intelligence activities, including cover, deception, escape, and evasion activities.

SUBJECT: INTELLIGENCE COMMUNITY GUIDELINES FOR
DECLASSIFICATION OF DOCUMENTS CONTAINING
INFORMATION CONCERNING INTELLIGENCE
SOURCES AND METHODS

General

Under EO 11652 documents classified before 1 June 1972 must be continuously reviewed for the purpose of declassification and/or retention of classification. Only the head of an Agency or Department can extend classification protection beyond a thirty year period. These guidelines, therefore, are set forth to enable Agency or Departmental personnel assigned to assist the U.S. Archivist to identify documents for a classification decision by the Agency head and to suggest the period of classification retention.

A major purpose of any declassification review is to make available to the general public the maximum amount of data consistent with an obligation to safeguard national security interests. These interests include the protection of sensitive intelligence sources and methods. Such intelligence is identified as that classified intelligence, the unauthorized disclosure of which could lead to counteraction (1) jeopardizing the continued productivity of intelligence sources or methods that provide intelligence vital to

the national security or (2) offsetting the value of intelligence vital to the national security. At the risk of oversimplification, "sources" can be identified as the origins of information and "methods" as the ways by which intelligence data and/or intelligence sources are developed. In many cases sources and methods are inseparable.

Classified materials or information which were received by the United States from foreign governments or international bodies with the express understanding that the information would be protected cannot be declassified without the permission of the donor government or organization. The suggested classification retention period of such documents will be until the approval of the foreign government or international organization is received.

If it is determined that a document must remain classified but much of the information therein could be released provided certain limited portions (those that identify sources and methods) were excised, this fact should be noted. This will enable Agency personnel assigned to the archivist to provide sanitized versions of otherwise classified documents to researchers for publication or to the public. However, care should be taken to ensure that the sanitization of a document does not change its meaning.

Detailed Guidance: Names or Identifiable Individuals:

1. Human intelligence sources may be divided into two main categories: conventional and confidential. A conventional source is

a) An individual or official with whom normal, unconcealed, overt contact or liaison is maintained, and

b) Who provides all types of intelligence information with the permission of his government, and

c) Under normal circumstances, his identity, relationship and connection with intelligence is known.

A confidential source is one whose identity cannot be disclosed because

a) He revealed information which is protected or not authorized for release by his country, or the organization to which he is attached, or

b) Revelation of his association with or the nature of his association with US intelligence agencies must be protected because his government requires it, or

c) The information he has provided could be used as grounds for criminal or civil charges against him, or

d) His known association with any representative of a US intelligence service would be prejudicial to him.

As a general rule, conventional sources do not require continued protection, while documents containing information which might reveal the identities of confidential sources must remain classified to protect the fiduciary relationship between a source and U. S. intelligence. Based upon the National Security Act of 1947 which provides that the DCI shall be responsible for protecting intelligence sources and methods, from unauthorized disclosure, classification of these documents must be extended for the minimum period required to preclude compromise of confidential sources. Nevertheless, seventy-five years after the publication of the document and upon request, such documents will be reviewed by the appropriate components of the Agency concerned to determine if any adverse effects will occur if the documents are then declassified. Unless the confidential source is named in the document or a specific title or position is given, it is believed that, after seventy-five years, a source will not be identified by releasing documents wherein the source is described in general terms, i. e., a businessman with access to --, a Soviet naval officer, etc. Before seventy-five years, the likelihood exists that sources

described in such terms might be identified. However, the information in the document containing the names of confidential sources may be declassified based upon content provided the identity of the sources can be protected.

Information on confidential sources cannot be prematurely disclosed in cases where:

a) Disclosure could reasonably be expected to cause a degree of harm to national security by adversely affecting the motivation of current and future potential human intelligence sources to provide intelligence information to United States intelligence.

b) Disclosure would place a person in immediate jeopardy.

2. Documents revealing the identities of liaison officers from cooperating foreign intelligence or counterintelligence services who are confidential sources cannot be declassified without the permission of the foreign government concerned.

3. Documents which would reveal the identities of US private citizens who furnished information or otherwise cooperated with US intelligence with the understanding that their role be kept in confidence may be declassified after seventy-five years or sooner with their permission.

4. The identity of individuals, particularly US citizens, mentioned in investigative, personnel, medical, or similar records, the release of which would constitute an unwarranted invasion of privacy or a breach of confidence are protected from public disclosure

by statute including the Freedom of Information Act. Such documents will retain their classification based only on other content.

5. Documents exempted from declassification under Section 5B(4) will be declassified seventy-five years after the date of the documents.

Detailed Guidance: Intelligence Methods

1. Sensitive intelligence methods which must be afforded protection beyond the 30-year mandatory review period include information concerning or revealing techniques of agent recruitment, deception techniques, methods and equipment employed for covert communications, technical surveillance devices and strategies, microphotographic methods and equipment, and escape and evasion techniques. Such documents can be declassified after seventy-five years.

2. Documents containing information which would reveal the true names of cover organizations which are still in existence require continued protection. However, they will be reviewed after seventy-five years, upon request, to determine if the cover organizations are still in existence.

3. Methods related to logistical and other support activities-- as opposed to intelligence collection and covert action techniques--

adapted to the particular operations and circumstances, do not in themselves qualify as sensitive methods requiring continued protection.

4. Information with respect to the internal organization of US intelligence units, the chain of command, component functional missions and personnel ceilings, and intercomponent working relationships has lost much of its sensitivity with the passage of time. Moreover, a considerable amount of this sort of information has already appeared in open literature. Unless otherwise protected by statute, such information can be declassified in accordance with the provisions of EO 11652.

Detailed Guidance: Communications Intelligence and Cryptography

1. Communications intelligence cryptography and related activities must be provided with protection from premature disclosure. Included are any data concerning or revealing the processes, techniques, technical material and equipment, particular operations and overall scope of communications intelligence, and cryptographic security. The date for declassification of such information, being dependent upon the factor of obsolescence, is therefore impossible to predetermine.

2. Declassification of US Communications.

Unencrypted messages transmitted electrically will be declassified under provisions of EO 11652. Declassification of encrypted messages will be accomplished in accordance with the following policy:

a) Messages Encrypted Prior to February 1, 1946

Declassification of messages in this category has been and will continue to be based solely on the informational content of the messages.

b) Messages Encrypted During the Period February 1, 1946 through May 31, 1960

The requirement that messages in this category (so-called category "B" messages) be paraphrased and the date-time group physically removed prior to declassification is cancelled. Effective immediately, declassification of such messages will be based solely on the informational content of the messages.

c) Messages Encrypted Subsequent to May 31, 1960

Communications Centers have received instructions to perform necessary cryptographic editing on these messages prior to release from the Communications Center. Declassification of messages in this category by holders outside Communications Centers is based solely on the informational content of the messages. Further cryptographic editing is not required.

Detailed Guidance: Subject Matter Content

1. Intelligence documents and other record media, regardless of the subject, which contain information which would reveal intelligence sources or methods, the origin of which can be clearly traced to other US Government Agencies should not be declassified unilaterally by the holding Agency. Such information or material can only be declassified after consultation with any other Department having an interest in the subject matter.

2. US intelligence documents containing classified information which would reveal intelligence sources and methods and which was passed to US intelligence by foreign governments or international organizations should not be declassified without the concurrence of the foreign government or international organization concerned.